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Dated: 9/11/07  
Signed: Pete Kralin

PATENT

Attorney Docket No.: 101961-01-5142-US02

Client Ref. No.: 7994.204-US

(NEO00293US/371)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Shawn DeFrees, *et al.*

Application No.: 10/579,621

Filed: February 21, 2007

For: GLYCOPEGYLATED  
ERYTHROPOIETIN

Customer No.: 43850

Confirmation Number: 9539

Examiner: Goon, Scarlett Y.

Technology Center/Art Unit: 1623

NOTIFICATION OF LOSS OF  
ENTITLEMENT TO SMALL ENTITY  
STATUS UNDER 37 CFR 1.27(G)(2)  
DEFICIENCY PAYMENT UNDER 37  
CFR 1.28(C)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

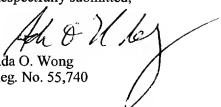
Status as a small entity was established in good faith in the above referenced application and fees as a small entity were paid in good faith. It has meanwhile been discovered that small entity status was established in error. Applicant respectfully requests for this error to be excused in accordance with 37 CFR 1.28(c). As required in paragraphs (c)(1) and (c)(2) therein, the itemization of the deficiency payment owed (resulting from the previous erroneous payment of small entity fees) is submitted herewith.

The Commissioner is authorized to deduct the total deficiency payment amount shown on the enclosed fee transmittal, or any additional underpayments from the undersigned's **Deposit Account No. 50-0310**.

Further, attached is a supplemental Application Data Sheet.

A corrected Filing Receipt is respectfully requested.

Respectfully submitted,

  
Ada O. Wong  
Reg. No. 55,740

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Itemization of deficiency payment under 37 CFR 1.28(c)						
U.S. Application Number 10/579,621, filed February 21, 2007; Patent Number _____, issued _____						
Attorney Docket Number: 101961-01-5142-US02						
Type of fee erroneously paid as a small entity	Current fee amount for a non-small entity	Small entity fee actually paid	Date paid	Deficiency owed amount		
Fee code Description						
2631 National stage - Filing Fee	\$ 330.00	\$ 150.00	5/26/2006	\$ 180.00		
2633 National stage - Examination Fee	\$ 220.00	\$ 100.00	5/26/2006	\$ 120.00		
2641 National stage - Search Fee	\$ 100.00	\$ 50.00	5/26/2006	\$ 50.00		
2681 National stage - Appl. Size Fee (pages over 100) [50 extra]	\$ 270.00	\$ 125.00	5/26/2006	\$ 145.00		
2615 National stage - Claims over 20 [14 extra claims]	\$ 728.00	\$ 350.00	5/26/2006	\$ 378.00		
2617 National stage - Late oath fee	\$ 130.00	\$ 65.00	2/23/2007	\$ 65.00		
	Total deficiency payment owed			\$ 938.00		